

10 pages

Resolution No. 177

WHEREAS, this Board did on November 18, 1977 receive a petition requesting the zoning of an area as described as follows:

S₁NW₄ and the SW₁NE₄, Section 16, Township 5 North,
Range 21 West, P.M.M., Ravalli County, Montana.


WHEREAS, the petition was signed by One Hundred percent (100%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on February 9, 1978 and thereafter the Commission met again on March 9, 1978, at which time the petition was granted.

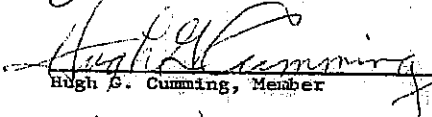
WHEREAS, Resolution No. 008 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under date March 9, 1978.

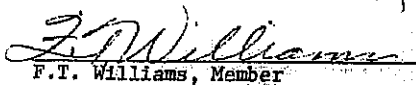
NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolutions granting said petition for creation of Ravalli County Planning and Zoning District No. 13.

PASSED AND ADOPTED this 20th day of March, 1978.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana


Jim McKinley, Chairman


Hugh B. Cumming, Member


F.T. Williams, Member

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RESOLUTION NO. 008

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the petition was filed by one hundred percent of the freeholders within such area, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M. 1947, as amended, and,

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 13, said district is more particularly described as follows:

S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Township 5 North, Range 21 West, P.M.M., Ravalli County, Montana.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District No. 13:

A. INTENT

This district provides for low density residential development of an open and rural character in areas best suited for such purposes, and provides for environmental protection of those areas that are fragile and cannot support more intensive urbanized activities due to physiographic, hydrologic, biologic, and economic conditions. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density.....One(1) dwelling per 10 acres.
Minimum required yard - front.....Fifty (50) feet.
 - side.....Fifty (50) feet.
 - rear.....Fifty (50) feet.
Maximum building height.....none.

C. PERMITTED USES

1. Single-family dwelling
2. No Mobile Homes
3. Modular Homes
4. Accessory buildings and uses

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D. BUILDING REQUIREMENTS AND RESTRICTIONS

1. No commercial or industrial activity shall be permitted.
2. Any activity involving the sale of goods or services conducted entirely within the dwelling which is clearly incidental and factually subordinate to the use of the dwelling and does not change the character thereof may be permitted.

E. SEVERABILITY:

If any provision herein or its application to any person or circumstances is held invalid, the remainder of the provisions herein or the application of the provision to other persons or circumstances is not affected.

ENFORCEMENT:

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

- I. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

- B. Space and Bulk Requirements
- C. Permitted Uses

- III. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

PASSED AND ADOPTED this 9th day of March, 1978.

PLANNING AND ZONING COMMISSION

Jim McKinley
Jim McKinley, County Commissioner

Hugh G. Cumming
Hugh G. Cumming, County Commissioner

F.T. Williams
F.T. Williams, County Commissioner

R. David Schurian
R. David Schurian, County Surveyor

Cheryl Richards
Cheryl Richards, County Assessor

STATE OF MONTANA }
COUNTY OF RAVALLI }

ss

This is to certify that I, Reba C. Falk, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in an area within $S\frac{1}{2}NW\frac{1}{4}$ and the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 16, T5N, R21W, in the following places:

1. On a post at the West end of the Lay property.
2. On a tree in the upper west portion of the Lay property.
3. On a post at the cattle guard at the beginning of the Lay property.

Jim M. McKinley
(Witness)

Reba C. Falk
Reba C. Falk, Secretary
Ravalli County Commissioners

Subscribed and sworn to before me this 16th day of January, 1978.

Dale E. Hughes
Notary Public for the State of Montana
Residing at Hamilton, Montana
My Commission Expires: April 1, 1980

SEAL

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Notice of Public Hearing on Adoption of
Planning and Zoning District and Adoption of Development
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Township 5 North, Range 21 West, P.M.M., Ravalli County, Montana.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners created and appointed a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 9th day of February, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restriction to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 16th day of January, 1978.

Publish January 19, 1978

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RESOLUTION NO. 168

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

SAME and the SAME, Section 16, Township 5 North, Range 21 West, P.M.M., Ravalli County, Montana.

Map of area is on file with said petition.

WHEREAS, it appears that one hundred percent of the freeholders affected thereby have signed said petition which is in due form.

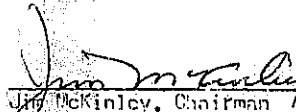
NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries as aforesaid, is created.

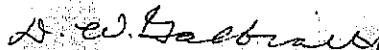
IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, D.W. Galbraith, and Hugh G. Cumming; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.


IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M., 1927, as revised.

Dated this 16th day of January, 1977.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana


Jim McKinley, Chairman


D.W. Galbraith, Commissioner


Hugh G. Cumming, Commissioner

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PETITION FOR ZONING DISTRICT

We, the undersigned, being the owners and freeholders of one hundred percent (100%) of the real property described and set forth in Exhibit A, do petition the Ravalli County Board of County Commissioners to establish a Planning and Zoning District and Commission pursuant to Section 16-4101, et seq. Rev. Codes of Montana 1947, to adhere to the described property. We do respectfully request that the following restrictions be adopted for said property, thereby creating a residential zoning district.

SECTION 1. Present land uses:

Present agricultural, commercial and residential use of land as of the date of this petition may be continued, notwithstanding anything to the contrary contained hereinafter.

SECTION 2. Subdivision of land:

No land shall be subdivided into parcels less than ten (10) acres in size for purpose of sale.

SECTION 3. Land use:

1. No commercial or industrial activity shall be permitted.

SECTION 4. Home use:

2. Any activity involving the sale of goods or services conducted entirely within the dwelling which is clearly incidental and factually subordinate to the use of the dwelling and does not change the character thereof may be permitted.

Respectfully submitted the 18TH day of November 1977.

George A. Lay

Marjorie P. Lay

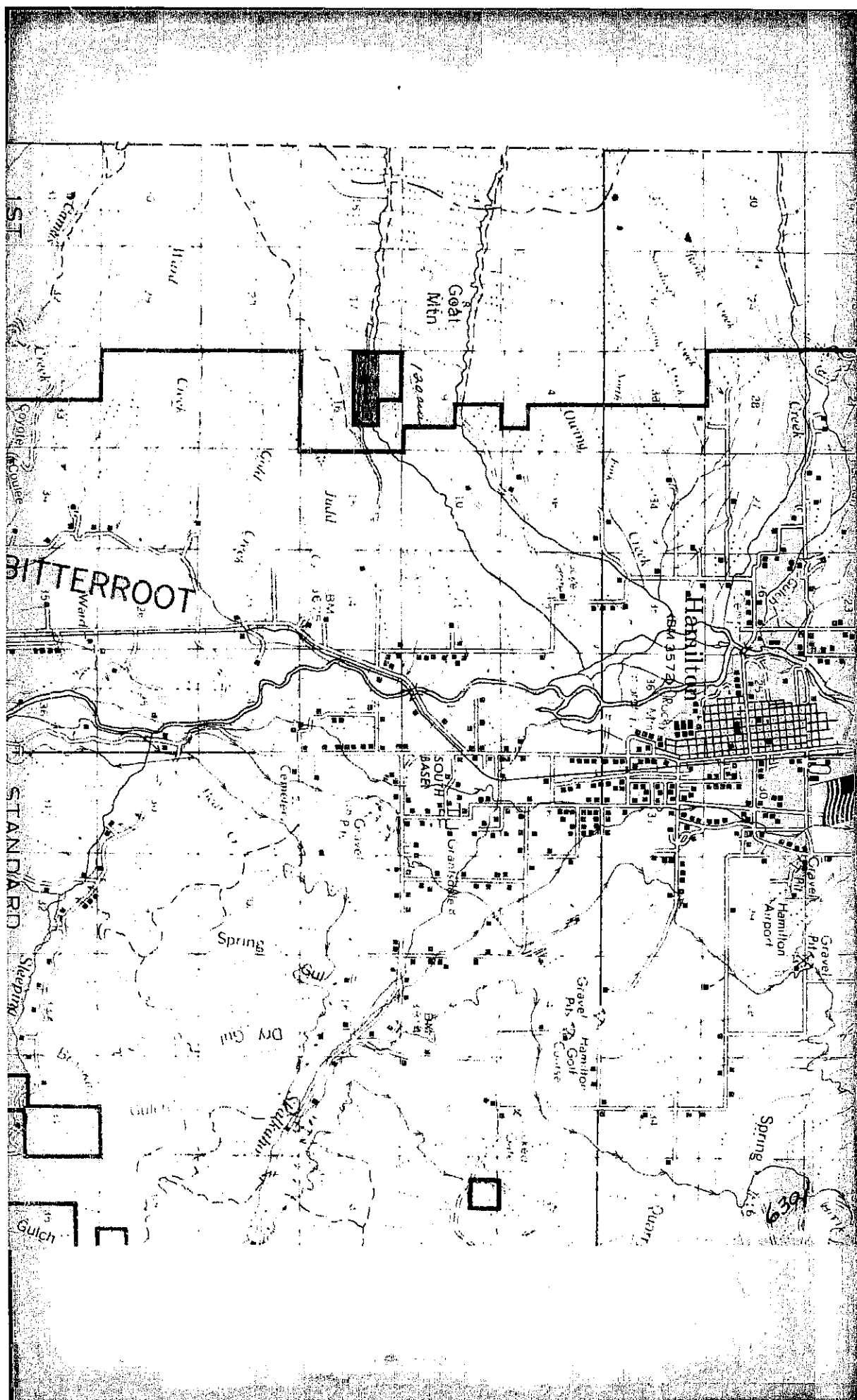
EXHIBIT A

The following land situated in T5N, R21W, P.M.M. :

SECTION 16: S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.

J. M. Powell

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14-00000

I certify that I received and filed this
return on this 22nd
day of March 1936 at 9:46

W. P. Decker & Son
Taxpayers

No. 8
05/08